

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CHUCK PETTI)	CASE NO. 1:18-cv-00615-WHB
)	
Plaintiff)	MAGISTRATE JUDGE WILLIAM H.
)	BAUGHMAN, JR.
v.)	
)	
CAMERON DALEY FRAKER)	
)	
Defendant)	
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PAUL SPIVAK)	CASE NO. 1:19-cv-00087-WHB
)	
Plaintiff)	MAGISTRATE JUDGE WILLIAM H.
)	BAUGHMAN, JR.
v.)	
)	
CAMERON DALEY FRAKER)	
)	
Defendant)	
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INTELLITRONIX CORPORATION)	CASE NO. 1:19-cv-00966-WHB
)	
Plaintiff)	MAGISTRATE JUDGE WILLIAM H.
)	BAUGHMAN, JR.
v.)	
)	
CAMERON DALEY FRAKER)	<u>DEFENDANT CAMERON DALEY</u>
)	<u>FRAKER’S MOTION TO DISMISS,</u>
Defendant)	<u>PURSUANT TO CIVIL RULES 12(B)(2),</u>
)	<u>12(B)(3), AND 12(B)(6)</u>

Defendant Cameron D. Fraker, by and through undersigned counsel, respectfully moves this Honorable Court for an order dismissing the Amended Complaint filed by Intervening Plaintiff U.S. Lighting Group, pursuant to Federal Civil Rules of Procedure 12(B)(2) and 12(B)(3) for lack

of personal jurisdiction and improper venue. Defendant is not subject to Ohio's Long Arm Statute, and the exercise of personal jurisdiction violates his due process. Defendant is not a resident of this judicial district, does not have a place of business in Ohio, and does not conduct business in this state. Further, the forum selection clause in the USLG Agreements that are the subject of the Amended Complaint specifically provide that the State of Wyoming is the only proper forum.

Defendant also moves for dismissal of Counts IV, V, and VI of the Amended Complaint, pursuant to Federal Civil Rule of Procedure 12(B)(6), for failure to state a claim, as these claims were not filed within the one-year statute of limitations. Additionally, Plaintiff failed to plead special damages for Count VI, as required by Federal Civil Rule 9(G). A Memorandum in support is attached and incorporated herein.

Respectfully submitted,

/s/ Kristin L. Wedell

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Attorney for Defendant

Cameron Daley Fraker

CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2020, Defendant Cameron Daley Fraker's Motion To Dismiss, Pursuant To Civil Rules 12(B)(2), 12(B)(3), and 12(B)(6), was filed. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Kristin L. Wedell

PAUL J. SCHUMACHER (0014370)

KRISTIN L. WEDELL (0072500)

Attorneys for Defendant

Cameron Daley Fraker